

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRIS JONATHAN EPPERSON,

Plaintiff,

-against-

UNITED STATES; GEOFFREY S. BINNEY;
BILL CLINTON; BARAC OBAMA;
DONALD TRUMPH; JOE BIEDON,

Defendants.

21-CV-2176 (CM)

ORDER

COLLEEN McMAHON, United States District Judge:

By order dated April 1, 2021, the Court dismissed Plaintiff's complaint as frivolous. (ECF No. 5.) Plaintiff filed a notice of appeal on April 13, 2021, (ECF No. 7), and by Mandate issued on August 30, 2021, the United States Court of Appeals for the Second Circuit dismissed Plaintiff's appeal, (ECF No. 8.)

Approximately ten months later, on June 27, 2022, Plaintiff a second notice of appeal (ECF No. 11), and a motion for an extension of time to appeal, (ECF No. 10). By Mandate issued on November 15, 2022, the Second Circuit dismissed Plaintiff's second appeal, (ECF No. 12).

Because the Second Circuit issued a decision on Plaintiff's second appeal, the Court dismisses as moot Plaintiff's motion for an extension of time to appeal (ECF No. 10).

CONCLUSION

Plaintiff's motion for an extension of time to appeal (ECF No. 10) is denied as moot.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 19, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
United States District Judge